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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/525,696 | 03/14/2000 | Asawaree P. Kalavade | Case 4 | 8570 |

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| EXAMINER | |
|---|---|
| QURESHI, AFSAR M | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2667 | 11 |

DATE MAILED: 05/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/525,696 | KALAVADE, ASAWAREE P. | |
| | Examiner | Art Unit | |
| | Afsar M Qureshi | 2667 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *24 February 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1,2,4-28 and 30-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-28 and 30-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 March 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *7*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

1. Amendment received on January 20, 2004, is entered as requested.

2. Claim 4 is objected to because of the following informalities: Claims 4 is incorrectly depending on cancelled claim 3. Examiner believes it is a typographical error. Appropriate correction is required.

3. Claim 40, line 11, "rate convert said PCM streamed audio signal" to be corrected to --rate converting said PCM streamed audio signal--.

4. **The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.**

5. Claims I - 28 and 30 - 42 are rejected under 35 U.S.C. 103(a) as being unpatentable ove Li (US Patent No. 6,549,587) in view of Amrany et al. (US Patent No. 6,067,316) hereinafter referred to as Amrany and Zhang et al. (US 6,181,711).

Claims I, 2, 4 - 8

Regarding claims 1-2, Li discloses a method for generating a PCM stream. See col. 12 lines 55-57 and col. 13 lines 17-23, and, decoding a plurality of streamed packets (see figure 6, elements 84 and 96). Li further discloses rate converting the PCM signal stream. See col. 28 lines 12-27.

Li does not disclose means for filtering the signal stream.

Amrany discloses a low-pass filter (Fig. 4 '150') for filtering a signal stream. See Col. 1, lines 40-47.

Regarding claim 4, Li further discloses transmitting the PCM signal over a circuit switched call connection (see Li col. 13 lines 17-23).

Regarding claim 5, Li further discloses the circuit- switched network being a cellular network. See col. 6 lines 55-61.

Regarding claim 6, Li further discloses the packet network being an IP network. See col. 6 lines 55-61.

Regarding claims 7 and 8, Li further discloses the PCM signal being a media and furthermore an audio signal stream (voice).

As to the added limitation of rate converting the PCM signal stream, Zhang et al. ('Zhang' hereinafter) disclose bit rate converter essentially separating the video data portion of the bit stream and then decoding and extracting the video data, which is then modified to change the bit rate, and combined with other signals to make up the stream (see col. 4, lines 33-55)

At the time the invention was made it would have been obvious to one of ordinary skill in the art to be able to modify Li by incorporating the low-pass filter in a manner disclosed by Amrany and utilizing a bit rate converter (Zhang) to receive a PCM signal stream and adjusting the bit rate as required. One of ordinary skill in the art would have been motivated to do this in order to protect the incident telephone circuits from

unwanted high frequencies and reducing the bit error rate. See Amrany Col. I lines 40-47 and Zhang, col. 4, lines 13-17.

Claims 9 -11

Li in view of Amrany discloses all of the limitations as recited above with respect to claims 1-2.

Li further discloses the packet network being the Internet. See col.6, line 61.

Li in view of Amrany does not specifically disclose the media signal stream being a video signal stream or streaming text. However, at the time the invention was made it would have been readily obvious to a skilled artisan to be able to modify the combined invention of Li and Amrany to include media signal streams such as streaming video and text, knowledge of which was known and old at the time.

One of ordinary skill in the art would have been motivated to do this to improve the range of implementation of the invention, thereby enhancing the marketability of the invention.

Claims 12-17

Regarding claims 12-14, Li and Zhang disclose method for receiving a plurality of streamed packets (Fig. 6 '62'), means for decoding the packets (84 and 96), and means for converting the bit rate of the signal into one that is compatible with a circuit switched call connection (see col. 12 lines 55-57, col. 13 lines 17-23, and col. 28 lines 12-27). Regarding claims 15-17, Li further discloses the cellular network being a TDMA, CDMA, or GSM network. See col. 6 lines 55-6 1.

Claims 18 - 28 and 30-42

Regarding claims 18, 21, 25 and 26, Li and Zhang disclose an apparatus including means for receiving a plurality of streamed packets (Fig. 6 '62'), means for decoding the packets (84 and 96), and means for converting the bit rate of the signal into one that is compatible with a circuit switched call connection (see col. 12 lines 55-57, col. 13 lines 17-23, and col. 28 lines 12-27). It is inherent (to Li in view of Amrany) that the low pass filter prevents aliasing (claim 26).

Regarding claims 19 and 23, Li further discloses the call connection being provided over a wireless network. See col. 6 lines 55-61.

Regarding claims 20 and 24, Li further discloses the call connection being provided over a cellular network. See col. 6 lines 55-61.

Regarding claim 22, Li further discloses the bit rate of the signal being 64 kbps. See col. 13 lines 17-23.

Regarding claim 27,Li further discloses the implementation of the method as recited in claim 12, on a programmable digital signal processor. See col. 3 lines 64-67, Fig. 2.

Regarding claim 28, all limitations, including means for rate converting are discussed in the rejection of claim 1 above.

Regarding claims 41, 37, and 38, Li discloses an apparatus including means for decoding a plurality of streamed packets (84 and 96), generating a PCM stream. See col. 12 lines 55-57 and col. 13 lines 17-23.

Regarding claim 30, Li further discloses an interface ('60b' see *Li* col. 14 line 24) for transmitting the PCM signal over a circuit switched call connection (see *Li* col. 13 lines 17-23).

Regarding claim 31, Li further discloses the packet network being an IP network. See col. 6 lines 55-61.

Regarding claim 32, Li further discloses the packet network being the Internet. See col. 6, line 61.

Regarding claims 33 and 34, Li further discloses the PCM signal being a media and furthermore an audio signal stream (voice).

Regarding claims 35 and 36, Li in view of Amrany discloses all of the limitations as recited above in the rejection of claim 1.

Regarding claim 40, Li discloses implementing the method on a programmable digital signal processor (see col. 3, lines 64-67, also figure 2).

Regarding claims 42 and 39, it is inherent to Li in view of Amrany that the low-pass filter prevents aliasing.

Li does not disclose means for filtering the signal stream (claims 18, 21, 28 and 37 herein).

Amrany discloses a low-pass filter (Fig. 4 '150') for filtering a signal stream. See Col. 1, lines 40-47.

At the time the invention was made it would have been obvious to one of ordinary skill in the art to include the low-pass filter, as disclosed by Amrany, in the invention as disclosed by Li. One of ordinary skill in the art would have been motivated to do this in

order to protect the incident telephone circuits from unwanted high frequencies. See Amrany Col. I lines 40-47.

***Response to Arguments***

6. Applicant's arguments filed on February 24, 2004, have been fully considered but they are not persuasive. The Applicant argued that the cited art fails to disclose, "filtering the decoded signal stream to generate PCM signal stream; and rate converting said PCM signal stream". The Examiner contends that these limitations are addressed in the rejection of claim 1 and subsequent claims wherein cited art does indeed disclose all the limitations as discussed in the obviousness type rejection taken into consideration that all those variations in the alternative structure that fall within the scope of the invention can readily be conceived by one of skill in the art.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Afsar M Qureshi whose telephone number is (703) 308 8542. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (703) 305 4378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AFSAR QURESHI
PATENT EXAMINER
May 5, 2004.